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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|   |   |  |
|---|---|--|
| <b>In re U.S. Patent Application of:</b>                    | ) | <b><u>Group Art Unit:</u> 2675</b>         |
|   | ) |  |
| <b>Yuan-Cheng CHIN <i>et al</i></b>                         | ) | <b><u>Examiner:</u> U. Anyaso</b>          |
|   | ) |  |
| <b>Serial Number: 10/057,918</b>                            | ) | <b><u>Attorney Docket:</u> CHIN3014ben</b> |
|   | ) |  |
| <b>Filed: January 29, 2002</b>                              | ) | <b><u>Confirmation No.:</u> 3719</b>       |
| <b>For: Modulated Optical Mouse For A Personal Computer</b> |   |  |

**AMENDMENT AND RESPONSE**

Honorable Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

This paper is in response to the Office Action dated September 23, 2003.

Amendments to the claims begin on page 2.

A request for an interview is set forth on page 5.

Remarks/Arguments begin on page 6.

DEC 23 2004

Via Facsimile - 10 Pages - (703) 872-9314

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**IN RE APPLICATION OF: YUAN-CHENG CHIN ET AL  
SERIAL NO.: 10/057,918

FILED: January 29, 2002

FOR: MODULATED OPTICAL MOUSE FOR A  
PERSONAL COMPUTER

GROUP ART UNIT: 2675

EXAMINER: U. Anyaso

ATTY. REFERENCE: CHIN3014/BEU

**COMMISSIONER OF PATENTS**

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a communication/amendment in the above-identified application.

- ☐ Small entity status under 37 CFR 1.9 and 1.27 is claimed.
- ☒ No additional fee is required.

The fee, if any, has been calculated as shown below:

| Fee Basis  | Number of Claims After Amendment | Highest Number Previously Paid For | Extra Claims   | Small Entity | Full Fee   |
|--|----------------------------------|------------------------------------|----------------|--------------|------------|
| Total Claims   |                                  | - <sup>1</sup>                     | = <sup>3</sup> | × \$ 25 =    | × \$ 50 =  |
| Independent Claims   |                                  | - <sup>2</sup>                     | = <sup>3</sup> | × \$100 =    | × \$ 200 = |
| <input type="checkbox"/> First Presentation of Proper Multiple Dependent Claim |                                  |                                    |                | + \$180 =    | + \$360 =  |
| <b>TOTAL</b>   |                                  |                                    |                |              |            |

<sup>1</sup> If less than 20 enter 20.<sup>2</sup> If less than 3 enter 3.<sup>3</sup> If less than 0 enter 0.

- ☐ Please charge my Deposit Account Number 02-0200 in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is attached.
- ☐ A check in the amount of \$\_\_\_\_\_ is attached.
- ☐ The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under 37 CFR 1.16 and 37 CFR 1.17 or credit any overpayment to Deposit Account Number 02-0200. A duplicate copy of this sheet is attached.
- ☐ Also enclosed is/are:

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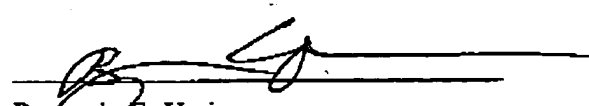
(PRINT) J. S. Holmes  
(SIGN) J. S. Holmes  
(DATE) 12-23-04

23364

Customer Number  
Phone: (703) 683-0500

DATE: December 23, 2004

Respectfully submitted,

  
Benjamin E. Urcia  
Attorney for Applicant  
Registration Number: 33,805

Serial Number 10/057,918

### REQUEST FOR INTERVIEW

Should the Examiner feel that the claims should be amended to even more specifically define the inventive features discussed below, and in particular if the Examiner still considers Fig. 3 of the Davis patent to show a separate embodiment from Fig. 2 (as argued in the second complete paragraph on page 4 of the Official Action, despite Fig. 3 being a cross-section of Fig. 2), or if the Examiner considers Fig. 3 to show an LED 34 that is integrated with rather than separated from sensor chip 16, the Examiner is requested to grant a personal interview before issuing a final rejection of the application.